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## Chief Justice Michael A. Wolff, A Reflection

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## CHIEF JUSTICE MICHAEL A. WOLFF, A REFLECTION

PETER W. SALSICH, JR.\*

It had been a long day and SLU law faculty members were getting fidgety. About twenty-five law professors and assorted deans and librarians had been haggling over the implications of a disturbing downward trend in the number of applications for the class that would be entering the School of Law the following August. After several years of record application numbers and credentials, both the numbers of applicants and their paper credentials had declined quite dramatically. The implications of those changes, both for the improving reputation of the school and the ability of the school to sustain its expanded faculty, were apparent to all in the room. But no consensus had been reached on what the law school should or might do.

One member of the faculty had been listening quietly to the increasingly strident discussion of available options. His lanky frame draped over a chair in the faculty lounge, Professor Mike Wolff raised his hand to be recognized by Dean Rudy Hasl, who was chairing the meeting. “Imagine that we are meeting in this room again ten years from now. I would like to read two versions of a letter that I plan to send to my mother at that time and would appreciate advice on which one would best describe the decision that we will make now and the likely consequences of that decision,” he intoned.

The first letter described a scenario in which the faculty voted to reduce the size of the incoming class by twenty to twenty-five percent. As a result of that decision, the application/acceptance ratio remained and became even more competitive, the entering credentials increased rather than decreased, and the reputation of the school improved because the school was perceived to be more demanding. The central administration agreed to support the faculty’s decision because it found that fund raising efforts were more successful because of the improved reputation of the School.

The second letter reported that the faculty voted instead to keep the size of the entering class as it had been in previous years, and even increase it a bit. That decision led to a narrowing of the application/acceptance ratio, a decrease in the entering credentials of the incoming classes, and a decline in the overall reputation of the school. The central administration began reducing its budget allocation to the school because, even though the size of the student body

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remained large, fund raising had become more difficult because of the perception that the School was not as strong as it might be.

Mike's dramatic crystallization of the fundamental dilemma the school was facing—budget pressures versus reputation enhancement, as that conflict was played out in the admissions process—sharpened the faculty discussion around the central issue. Although the decisions made later that year by the School of Law and the central administration reflected a compromise between the two positions his fictional letters represented, he captured the essence of the situation in a way that faculty members who were present in that meeting some twenty or so years ago still remember.

Throughout his long career leading up to his assumption of the Chief Justice position on July 1, 2005, first as a legal services attorney in both St. Paul, Minnesota, and Denver, Colorado, as director of the Black Hills Legal Services program in Rapid City, South Dakota, as a member of the School of Law's faculty for twenty-three years, as chief counsel and special counsel to the late Governor Mel Carnahan, and as a member of the Supreme Court of Missouri since 1998, Mike Wolff has displayed the ability to master large amounts of technical information, distill the essence of a legal issue and/or the elements of a solution from that information and craft a solution that reasonable people can accept. In other words, he was and is an excellent lawyer.

As a teacher, he was a master of the Socratic method of instruction, in which the teacher endeavors to show his pupils how to learn themselves rather than handing them the information. His engaging personality and sense of humor softened the edges of the Socratic inquiry so that, rather than being embarrassed or intimidated, students in his classes were encouraged to search themselves for solutions to problems presented in class discussion. For this he received the School of Law's Teaching Excellence Award.

His scholarly activities have been directed toward improving the conduct of trials, both civil and criminal, as evidenced by his co-authorship of *Federal Practice and Instructions*, a treatise on the conduct of trials in federal courts,<sup>1</sup> and his development of a seminar for judges and students on sentencing of persons convicted of crimes.

All of these accomplishments are buttressed by a truly engaging personality and a "down home" sense of humor. Chief Justice Michael Wolff truly is a nice person. I am honored to have him as a colleague and as a friend. Missourians will be well served by the judicial system during his term as Chief Justice.

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1. EDWARD J. DEVITT, CHARLES B. BLACKMAR, MICHAEL A. WOLFF & KEVIN F. O'MALLEY, *FEDERAL JURY PRACTICE AND INSTRUCTIONS* (4th ed. 1992).